

ALVERSON, TAYLOR, MORTENSEN & SANDERS

LAWYERS
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ALVERSON, TAYLOR,
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(702) 384-7000
Attorneys for Defendants
TIEN CHANG WANG, M.D., and
FREMONT EMERGENCY SERVICES

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

@

ERENDIRA ESPERANZA GUZMAN-IBARGUEN,
individually; ERENDIRA MEJIA-GUZMAN,
individually; MARIA FERNANDEZ MEJIA-
GUZMAN, individually; TAMMY HARLESS,
as Special Administrator for the Estate of
OSCAR ANICETO MEJIA-ESTRADA,

Plaintiffs,

v.

SUNRISE HOSPITAL AND MEDICAL CENTER,
LLC; OSCAR CHAVES, RN; NANCY BEASLEY,
RN; ARLAMAY ROGERS, RN; LAUREN
HENDRICKS, RN; MARCELINO A. TACADENA,
RN; TINA HAYES, CNA; NURSE STRUASS, RN;
TIEN CHANG WANG, M.D.; ANTHONY KEILY;
JEFFREY JOHNSTON; SOUTHWEST
EMERGENCY ASSOCIATES;
DOES I-XX and ROES I-X,

Defendants.

Case No.: 2:10-cv-01983-PMP-GWF
Case No.: 2:10-cv-01228-PMP-PAL

CONSOLIDATED CASE NO.:
2:10-cv-01228-PMP-PAL

MOTION TO WITHDRAW
DEFENDANT FREMONT
EMERGENCY SERVICES'
MOTION FOR SUMMARY
JUDGMENT

COMES NOW, Defendant FREMONT EMERGENCY SERVICES by and through its
attorneys of record, ALVERSON, TAYLOR, MORTENSEN & SANDERS, and hereby withdraws

its Motion for Summary Judgment. This Motion is based upon the attached Points and Authorities, exhibits, and all other pleadings and papers on file herein, and any such oral argument as this Honorable Court may entertain if a hearing is scheduled for this matter.

DATED this 21 day of November, 2011.

ALVERSON, TAYLOR, MORTENSEN & SANDERS

By: 

LEANN SANDERS, ESQ.

Nevada Bar No. 000390

SHIRLEY BLAZICH, ESQ.

Nevada Bar No. 008378

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(702) 384-7000

Attorneys for Defendants

TIEN CHANG WANG., M.D., and

FREMONT EMERGENCY SERVICES

MEMORANDUM OF POINTS AND AUTHORITIES

I.

ARGUMENT

This is a medical malpractice case arising out of Defendant Fremont Emergency Services' treatment of decedent Oscar Aniceto Mejia-Estrada on July 27, 2008. Following the close of discovery in this matter, Defendant Fremont Emergency Services filed a Motion for Summary Judgment (Doc. #109) regarding Plaintiffs' claims on November 4, 2011. Thereafter, Plaintiffs agreed to stipulate to dismiss Defendant Fremont Emergency Services from this matter, with prejudice. On November 15, 2011, the Stipulation and Order to Dismiss Defendant Fremont Emergency Services (Doc. #113-114) was filed in the United States District Court for the District of Nevada, thereby dismissing Fremont Emergency from the instant case. See Exhibit A, attached hereto, Stipulation and Order to Dismiss Fremont Emergency Services. Therefore, Fremont

Emergency Services moves to withdraw its Motion for Summary Judgment, as it is now moot.

II.

CONCLUSION

Based on the foregoing, Defendant Fremont Emergency Services respectfully moves to withdraw its Motion for Summary Judgment (Doc. #109), as Fremont Emergency Services has been dismissed from the instant action.

DATED this 21 day of November, 2011.

ALVERSON, TAYLOR, MORTENSEN & SANDERS

By:



LEANN SANDERS, ESQ.

Nevada Bar No. 000390

SHIRLEY BLAZICH, ESQ.

Nevada Bar No. 008378

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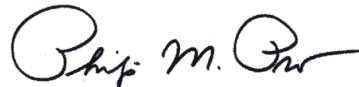
(702) 384-7000

Attorneys for Defendants

TIEN CHANG WANG., M.D., and

FREMONT EMERGENCY SERVICES

IT IS SO ORDERED.



PHILIP M. PRO

UNITED STATES DISTRICT JUDGE

Dated: November 28, 2011.

ALVERSON, TAYLOR, MORTENSEN & SANDERS

LAWYERS

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CERTIFICATE OF SERVICE

I hereby certify, that on the 21st day of November, 2011, service of the foregoing

MOTION TO WITHDRAW DEFENDANT FREMONT EMERGENCY SERVICES'

MOTION FOR SUMMARY JUDGMENT, was made by U.S. Mail this date by mailing a true and

correct copy of the same to each party addressed as follows:

David F. Sampson, Esq.
CHRISTENSEN LAW OFFICES, LLC
1000 South Valley View
Las Vegas, Nevada 89107
Attorneys for Plaintiffs

Kenneth M. Webster, Esq.
Michael T. Koptik, Esq.
HALL PRANGLE & SCHOONVELD, LLC
777 N. Rainbow Blvd., Suite 225
Las Vegas, Nevada 89107
Attorneys for Defendants
LAURA HENDRICKS, ANTHONY KEILY, VICKY
STRAUSS, MARCELINO TACADENA, and
OSCAR CHAVEZ



An employee of
ALVERSON, TAYLOR, MORTENSEN & SANDERS

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EXHIBIT A

1 ALVERSON, TAYLOR,
 2 MORTENSEN & SANDERS
 3 LEANN SANDERS, ESQ.
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 5 7401 West Charleston Boulevard
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 6 (702) 384-7000
 Attorneys for Defendants
 7 TIEN CHANG WANG, M.D., and
 8 FREMONT EMERGENCY SERVICES

9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 @

12 ERENDIRA ESPERANZA GUZMAN-IBARGUEN,
 individually; ERENDIRA MEJIA-GUZMAN,
 13 individually; MARIA FERNANDEZ MEJIA-
 GUZMAN, individually; TAMMY HARLESS,
 14 as Special Administrator for the Estate of
 OSCAR ANICETO MEJIA-ESTRADA,
 15

16 Plaintiffs,

17 v.

18 SUNRISE HOSPITAL AND MEDICAL CENTER,
 LLC; OSCAR CHAVES, RN; NANCY BEASLEY,
 19 RN; ARLAMAY ROGERS, RN; LAUREN
 HENDRICKS, RN; MARCELINO A. TACADENA,
 20 RN; TINA HAYES, CNA; NURSE STRUASS, RN;
 TIEN CHANG WANG, M.D.; ANTHONY KEILY;
 21 JEFFREY JOHNSTON; SOUTHWEST
 EMERGENCY ASSOCIATES;
 22 DOES I-XX and ROES I-X,
 23

24 Defendants.

Case No.: 2:10-cv-01983-PMP-GWF
 Case No.: 2:10-cv-01228-PMP-PAI.

CONSOLIDATED CASE NO.:
 2:10-cv-01228-PMP-PAL

**STIPULATION AND ORDER TO
 DISMISS DEFENDANT
 FREMONT EMERGENCY
 SERVICES**

25 IT IS HEREBY STIPULATED and agreed by and between, Defendants TIEN CHANG
 26 WANG, M.D. and FREMONT EMERGENCY SERVICES, by and through their attorneys of record,
 27 ALVERSON, TAYLOR, MORTENSEN & SANDERS; Plaintiffs ERENDIRA ESPERANZA
 28

ALVERSON, TAYLOR, MORTENSEN & SANDERS
 LAWYERS
 7401 WEST CHARLESTON BOULEVARD
 LAS VEGAS, NEVADA 89117-1401
 (702) 384-7000

1 GUZMAN-IBARGUEN, individually, ERENDIRA MEJIA-GUZMAN, individually, MARIA-
 2 FERNANDEZ MEJIA-GUZMAN, individually, and TAMMY HARLESS, as Special Administrator
 3 of the Estate of Oscar Aniceto Mejia-Estrada, by and through their counsel of record, David
 4 Sampson, Esq., of the law firm CHRISTENSEN LAW OFFICES, LLC; and Defendants SUNRISE
 5 HOSPITAL & MEDICAL CENTER, LLC, MARCELINO A. TACADENA, RN, TINA HAYES,
 6 CNA and ANTHONY KELLY, by and through their counsel of record, Jonquil Urdaz, Esq., of the
 7 law firm HALL PRANGLE & SCHOONVELD, LLC, as follows


8
 9 Defendant FREMONT EMERGENCY SERVICES is DISMISSED, WITH PREJUDICE,
 10 from the foregoing Consolidated Case No. 2:10-cv-01228-PMP-PAL, each party to bear their own
 11 attorney's fees and costs.

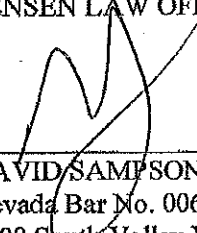
12
 13 DATED this 15 day of November, 2011.

DATED this 15 day of November, 2011.

14
 15 ALVERSON, TAYLOR,
 16 MORTENSEN & SANDERS

CHRISTENSEN LAW OFFICES, LLC

17 By 
 18 LEANN SANDERS, ESQ.
 19 Nevada Bar No. 000390
 20 SHIRLEY BLAZICH, ESQ.
 21 Las Vegas, NV 89101
 22 Nevada Bar No. 008378
 23 7401 West Charleston Boulevard
 24 Las Vegas, Nevada 89117
 25 Attorneys for Defendants
 26 TIEN CHANG WANG, M.D., and
 27 FREMONT EMERGENCY SERVICES
 28

By 
 DAVID SAMPSON, ESQ.
 Nevada Bar No. 006811
 1000 Santa Valley View
 Las Vegas, NV 89107
 Attorneys for Plaintiffs

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ALVERSON, TAYLOR, MORTENSEN & SANDERS

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1 DATED this 14 day of November, 2011.

2 HALL PRANGLE & SCHOONVELD, LLC

3 By

4 Kenneth M. Webster, Esq.
 Nevada Bar No. 007205
 5 Michael T. Koptik, Esq.
 Nevada Bar No. 008534
 6 777 N. Rainbow Blvd., Suite 225
 7 Las Vegas, Nevada 89107
 Attorneys for Defendants
 8 Sunrise Hospital & Medical Center, LLC,
 Laura Hendricks, Anthony Kelly, Vicky Strauss,
 9 Marcelino Tacadena, Oscar Chaves, and Tina Hayes

10 ORDER

11 Pursuant to the foregoing stipulation by counsel for all parties, good cause appearing
 12 therefore;

13 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that DEFENDANT FREMONT
 14 EMERGENCY SERVICES is DISMISSED, WITH PREJUDICE, from the foregoing Consolidated
 15 Case No. 2:10-cv-01228-PMP-PAL, each party to bear their own attorney's fees and costs.
 16

17 DATED this _ 16th day of November, 2011.

18 
 19 HONORABLE UNITED STATES JUDGE

20 Respectfully submitted,
 ALVERSON, TAYLOR,
 21 MORTENSEN & SANDERS

22 By

23 LEANN SANDERS, ESQ.
 Nevada Bar No. 000390
 24 SHIRLEY BLAZICH, ESQ.
 Nevada Bar No. 008378
 25 7401 W. Charleston Boulevard
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 27 TIEN CHANG WANG., M.D., and
 FREMONT EMERGENCY SERVICES
 28

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